

John Wilde (Chief Baron of the Court of the Exchequer) 1590-1699

(J.P., Staffs) 26 Apr 1647*

[ODNB]

Wilde, John (1590–1669), barrister and politician, was the son and heir of George Wilde of Kempsey, Worcestershire, serjeant-at-law, JP, and MP for Droitwich, and Frances, daughter of Sir Edmund Huddleston of Sawston, Cambridgeshire. Wilde matriculated at Balliol College, Oxford, on 18 January 1605. He graduated BA on 20 October 1607 (being incorporated at Cambridge, 1608) and MA on 4 July 1610. Admitted as a student of the Inner Temple about November 1602, he was called to the bar in 1612, elected a bencher in 1628, created a serjeant-at-law in 1636, and appointed under-steward of Kidderminster on 4 August of that year. From 1627 he was a legal counsel to the city of Worcester, and in March 1640 he became its recorder.

Wilde served Droitwich as an MP in every parliament from that of 1621 to the Short Parliament of 1640. He was an active member from the beginning, with particular interests in law reform, commerce, and foreign policy. In 1621 and again in 1624 he brought in a long list of grievances against novel and exorbitant fees, particularly in the court of exchequer, where he practised, and against the abuse of licences and writs. On 27 November 1621, during the debate on Lord Digby's unsuccessful mission to secure the return of the Palatinate, he launched a passionate attack against Spain, describing it as 'Hanniball *ad portas*', and concluding, 'Let this Carthage be destroyed'. Wilde went so far as to declare King James I 'deluded' in his belief that Spain could be trusted as a diplomatic interlocutor, and the house shouted him down, perhaps less in dissent than to shield him from the consequences of his rash words.

By the parliament of 1626 Wilde had emerged as a leading figure in the House of Commons, speaking in critical debates and chairing committees. On 28 February he delivered a major speech on the mismanagement of the Spanish war, citing the refusal of 'the cordial counsel of Parliament' and warning of policy made 'by single counsel or private respects' (Bidwell and Jansson, 2.149). The latter was a clear allusion to the duke of Buckingham, whose impeachment on 'common fame' he supported later in the session. After a sombre address on 12 May calling for a remonstrance against the imprisonment of Sir John Eliot and Sir Dudley Digges in the Tower, it was the speaker who was cried down for breaking the long silence that followed. Wilde spoke less frequently in the parliament of 1628, but he stoutly defended habeas corpus and supported the bill to confirm the subject's ancient liberties.

Wilde finally secured the county seat for Worcestershire in the Long Parliament on 21 October 1640 when he defeated a royalist opponent, Sir Thomas Littleton. His parliamentary experience and legal expertise pushed him rapidly to the fore. He

was appointed chairman of the impeachment committee against the thirteen bishops involved in promulgating the canons of 1640, and on 3 August 1641 he made its report to the House of Lords. In April he staunchly supported the bill of attainder against the earl of Strafford. In December he was appointed to chair the committee investigating the alleged army plot, and on 6 January 1642 he was named to head the committee appointed to consider measures for the security of the kingdom and the City of London in the wake of the attempted arrest of the five members. Later in the month he conducted the impeachment hearings against the attorney-general, Sir Edward Herbert. Along with Bulstrode Whitelocke, Wilde frequently during this time chaired the house when it went into committee. He shepherded the bill to raise £400,000 for the defence of Ireland and the kingdom through to passage on 11 March 1642. On 18 March the house recommended him for appointment as a deputy lieutenant in Worcestershire, and in June, after being granted permission to buy arms formerly belonging to the recusant Lord Windsor for his own use and that of his county, he subscribed two horses and £1000 for the parliamentary cause.

Throughout the months that preceded the outbreak of the civil war, Wilde was among the most active figures in the house. In addition to the impeachment of Herbert, he undertook those of Sir Thomas Gardiner, recorder of London, and the lord mayor, Sir Richard Gurney, as well as prosecuting George Benion and John Weld, high sheriff of Hampshire. In June he was prominently involved in securing ordinance for parliament and mustering the livery companies, as well as in preparing the charges to the deputy lieutenants of Lancashire and Warwickshire. Always one of the more godly members of the house, he chaired the committee to establish the Westminster assembly, in which he was to serve as a lay member, and was appointed to draw up bills to confine and disarm recusants, to employ fines collected from them for the Irish war, and to provide for raising their children in the protestant faith. (Yet neighbourliness was important to him as well; he stoutly defended a Catholic gentry family in Warwickshire in December 1640.)

A majority of the Worcestershire gentry declared for the king as the summer began, leading to a hasty intervention by Wilde and his fellow knight for the shire, Humphrey Salway. They headed off a muster that had been fixed for the quarter sessions on 13 July, and instigated a petition to the justices to execute the militia ordinance, as well as one by the freeholders in support of parliament. Their efforts were unavailing, however, and on 12 August the county mustered 'for the king's safety and honour' outside Worcester.

In February 1643 parliament nominated Wilde as chief baron of the exchequer as part of its proposals to the king for an accommodation. On 5 April a bill was introduced to recompense him, along with Sir William Strickland, for losses to his estate. Presumably his recovery was aided by his appointment as a sequestration commissioner for Worcestershire. As a member of the Westminster assembly he prosecuted Archbishop Laud with zeal, employing against him the same argument of constructive treason that he had supported in Strafford's attainder. On 19 June 1646 he was appointed an assize judge, in July he became recorder of Worcester, and on 12 October he became chief baron of the court of the exchequer. He left the house on 14 November to take up this post, receiving much acclaim for his services. On the bench Wilde remained a committed partisan. Clarendon called him an 'infamous judge' for presiding at the condemnation of Captain John Burley, who had tried to free Charles I from captivity in Newport, and for securing the exoneration of Charles's would-be assassin, Captain Edmund Rolfe. Toward Charles himself he remained implacable. He promoted petitions against further

treaty with him in Somerset in March and September 1648, and on 10 October he joined Cornelius Holland and Thomas Hoyle in demanding justice against all delinquents 'without exception' in the House of Commons.

Like his fellow justices Wilde declined to serve on the high court of justice to try the king. He embraced the Commonwealth with alacrity, however, and served on its first two councils of state while continuing to preside over the court of the exchequer. On 17 March 1649 he delivered a 'gallant speech' on behalf of the new government at Exeter, though only seven of forty JPs attended it. When the mayor of Exeter threw the proclamation of the Commonwealth into the gutter, Wilde fined him £200. Wilde prospered during these years, allegedly trafficking in forged debentures for fee-farm rents. After leaving the council of state, he was appointed a militia commissioner for Worcestershire on 25 September 1651.

Wilde inherited a number of houses and other properties in Droitwich, and some thirty other buildings in Worcester and the surrounding shire. He profited perhaps even more handsomely from his legal practice, and was accused of speculation during the civil war and after. He married a coheir, Anne, daughter of Sir Thomas Harries, bt and serjeant-at-law, of Tong Castle, Shropshire; they had one daughter, also named Anne. Through Harries he was also related to William Pierrepont, who served with him in the Long Parliament.

Cromwell removed Wilde from the bench in October 1653 in favour of William Steele, who had served as Captain Burley's prosecutor. This dismissal in favour of a junior colleague was particularly galling, and he vainly enlisted the services of his old friend and colleague Whitelocke in seeking to win the protector's favour. Wilde retired to Worcestershire for the next several years, where he served as a JP and as a commissioner for raising the county assessment in 1656. In January 1659 he was returned for his old seat of Droitwich in Richard Cromwell's parliament, where he petitioned for the restoration of his former position and the payment of £1300 arrears in salary. He was granted his recompense, but was restored to the judicial circuit only with the return of the Long Parliament, in which he took his former place. On 17 January 1660 he was at last reinstated as chief baron, but was again replaced in May by Charles II, who appointed Sir Orlando Bridgeman in his place. Wilde's last service was to advise the Convention Parliament in smoothing the transition to the Restoration. He was absolved by the Act of Indemnity and retired to his house in Hampstead, Middlesex, where he died in 1669. Wilde was buried on the estate of his son-in-law, Charles West, Lord De La Warr, at Wherewell, Hampshire.

Wilde's greatest eminence was as chief baron of the exchequer, and the gain, loss, recovery, and final surrender of this position preoccupied him for the last seventeen years of his career. His larger historical importance may lie in the role he played in the events of the civil war. Wilde was in the vanguard of those who affirmed parliament's assumption of sovereign powers in an emergency, for example its right to raise military forces and to execute the great seal on its own authority. In the aftermath of the attempt on the five members, he spoke of the king as having laid hands on 'the horn of the altar', a phrase which, as Conrad Russell notes, had been previously used to describe the royal sovereignty. Although he cannot be described as a parliamentary legitimist in the manner of William Prynne, his unwavering support of parliament's claims to authority in 1642-3, and the legal prestige he brought to them, made him a central figure at the beginning of the civil war.

Robert Zaller

Sources

W. B. Bidwell and M. Jansson, eds., *Proceedings in parliament, 1626*, 4 vols. (1991–6) · A. Steele Young and V. F. Snow, eds., *The private journals of the Long Parliament*, 2–3 (1987–92) · A. Fletcher, *The outbreak of the English civil war*, rev. edn (1985) · S. R. Gardiner, *History of the Commonwealth and protectorate, 1649–1656*, new edn, 4 vols. (1903) · [Greaves & Zaller, BDBR](#) · [Clarendon, Hist. rebellion](#) · R. C. Johnson and others, eds., *Proceedings in parliament, 1628*, 6 vols. (1977–83) · [Keeler, Long Parliament](#) · W. Notestein, F. H. Relf, and H. Simpson, eds., *Commons debates, 1621*, 7 vols. (1935) · C. Russell, *The fall of the British monarchies, 1637–1642* (1991) · [DNB](#) · W. R. Williams, *The parliamentary history of the county of Worcester* (privately printed, Hereford, 1897)